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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10
11 Plaintiff,

No. CR-17-00732-02-PHX-GMS

DETENTION ORDER

11 v.

12 Jeannine Clark,
13 Defendant.

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15 On August 24, 2017, Jeannine Clark (the “Defendant”) appeared before this Court
16 on a Petition to Revoke Conditions of Release and admitted to Allegation 1 as amended.
17 The Court considered the information provided to the Court in determining whether the
18 Defendant should be released on conditions set by the Court.

19 The Court makes the following findings under 18 U.S.C. § 3148(b)(1):

- 20 ☐ There is probable cause to believe that the Defendant has committed a
21 Federal, State, or local crime while on release.
22 ☒ There is clear and convincing evidence that the Defendant has
23 violated the conditions of release.

24 The Court makes the following findings under 18 U.S.C. § 3148(b)(2):

- 25 ☐ Rebuttable Presumption where Probable Cause to Believe Felony
26 Committed on Pretrial Release. The Defendant has failed to rebut the
27 presumption that no condition or combination of conditions will
28 assure that the Defendant will not pose a danger to the safety of any
other person or the community. See 18 U.S.C. § 3148(b)(2)

(providing that rebuttable presumption of dangerousness applies if there is probable cause to believe that while on release a defendant has committed a Federal, State, or local felony).

☒ Flight Risk. After considering the factors set forth in 18 U.S.C. § 3142(g), the Court finds by a preponderance of the evidence that there is no condition or combination of conditions of release that will assure that the Defendant will not flee. *See* 18 U.S.C. § 3148(b)(2)(A); *U.S. v. Gotti*, 794 F.2d 773, 778 (2nd Cir. 1986) (holding that “findings made under section 3148(b) may be established by a preponderance of the evidence”).

☐ Dangerousness. After considering the factors set forth in 18 U.S.C. § 3142(g), the Court finds by a preponderance of the evidence that there is no condition or combination of conditions of release that will assure that the Defendant will not pose a danger to the safety of any other person or the community. *See* 18 U.S.C. § 3148(b)(2)(A); *Gotti*, 794 F.2d at 778.

☒ Compliance with Conditions. The Court finds by a preponderance of the evidence that the Defendant is unlikely to abide by any condition or combination of conditions of release. *See* 18 U.S.C. § 3148(b)(2)(B); *Gotti*, 794 F.2d at 778.

IT IS THEREFORE ORDERED that the Defendant be detained pending further proceedings.

Dated this 24th day of August, 2017.



Honorable Eileen S. Willett
United States Magistrate Judge